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Assistant United States Attorney
Lloyd D. George United States Courthouse
333 Las Vegas Blvd. South, Suite 5000
Las Vegas, Nevada 89101
(702) 388-6336

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

v.

PREDERICK JOHN RIZZOLO,

Defendant.

2:14-cr-232-GMN-NJK

STIPULATION FOR EXTENSION OF TIME

IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United States Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney, counsel for the United States of America, and Richard E. Tanasi, Esq. and Sigal Chattah, Esq., counsel for Defendant FREDERICK JOHN RIZZOLO, that the date for the Government to file a response to the Defendant's Motion to Dismiss (Docket #45) be extended for thirty (30) days.

This stipulation is entered for the following reasons:

- 1. The Defendant's Motion was filed and served on December 1, 2015. Pursuant to a stipulation between the parties, the Government's response deadline is April 18, 2016.
- 2. Since the filing of the previous stipulation, the Government has extended a written plea agreement to the Defendant in an attempt to negotiate this case, which would obviate the need for the Government to file a response. The Defendant subsequently extended a

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1	counter-offer. The parties are requesting additional time to continue good faith negotiation			
2	The trial in this matter is set for August 8, 2016. Consequently, an extension of the			
3	Government's response deadline is not likely to affect the present trial setting.			
4	3. Undersigned counsel for the Government will be in trial in the matter of <i>Unite</i>			
5	States v. Dominque Wells, 2:14-cr-280-JCM-CWH, commencing on April 18, 2016. Said trial i			
6	expected to last a full week.			
7	4. The Defendant is not incarcerated, and he does not object to the continuance of			
8	the Government's response deadline.			
9	5. The additional time requested herein is not sought for purposes of delay, but			
10	merely to allow the parties to have adequate time to attempt to negotiate the case.			
11	6. Additionally, denial of this request for continuance could result in a miscarriag			
12	of justice.			
13	7. This is the fifth stipulation filed herein to continue the Government's respons			
14	deadline.			
15	DATED: April 16, 2016.			
16				
17	<u>/s/</u>			
18	Assistant United States Attorney SIGAL CHATTAH, ESQ.			
19	Counsel for the United States Counsel for Defendant FREDERICK RIZZOLO			
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UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,)	2:14-cr-232-GMN-NJK
)	
Plaintiff,)	
)	
V.)	
EDEDEDICY IOUN DIZZOLO)	
TREDERICK JOHN RIZZOLO,)	
Defendant)	
2 orondant.)	
•	Plaintiff, Plaintiff, Plaintiff, Defendant.	Plaintiff,) y.) FREDERICK JOHN RIZZOLO,)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

- 1. The Defendant's Motion was filed and served on December 1, 2015. Pursuant to a stipulation between the parties, the Government's response deadline is April 18, 2016.
- 2. Since the filing of the previous stipulation, the Government has extended a written plea agreement to the Defendant in an attempt to negotiate this case, which would obviate the need for the Government to file a response. The Defendant subsequently extended a counter-offer. The parties are requesting additional time to continue good faith negotiations. The trial in this matter is set for August 8, 2016. Consequently, an extension of the Government's response deadline is not likely to affect the present trial setting.
- 3. Undersigned counsel for the Government will be in trial in the matter of *United States v. Dominque Wells*, 2:14-cr-280-JCM-CWH, commencing on April 18, 2016. Said trial is expected to last a full week.
- 4. The Defendant is not incarcerated, and he does not object to the continuance of the Government's response deadline.

- 5. The additional time requested herein is not sought for purposes of delay, but merely to allow the parties to have adequate time to attempt to negotiate the case.
- 6. Additionally, denial of this request for continuance could result in a miscarriage of justice.
- 7. This is the fifth stipulation filed herein to continue the Government's response deadline.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the motion response deadline.

CONCLUSIONS OF LAW

The additional time requested herein is not sought for purposes of delay, but merely to allow the parties sufficient time to allow the parties to attempt to negotiate this case, taking into account due diligence. The failure to grant said continuance would likely result in a miscarriage of justice.

ORDER

IT IS THEREFORE ORDERED, that the previously-scheduled response deadline for the Government to respond to the Defendant's Motion to Dismiss (Docket #45) is extended until ____, 2016.

UNITED STATES MAGISTRATE JUDGE